

NOTICES OF RULEMAKING DOCKET OPENING

The Administrative Procedure Act (APA) requires the publication of Notices of Rulemaking Docket Opening when an agency opens a rulemaking docket to consider rulemaking. Under the APA effective January 1, 1995, agencies must submit a Notice of Rulemaking Docket Opening before beginning the formal rulemaking process.

NOTICE OF RULEMAKING DOCKET OPENING

DEPARTMENT OF HEALTH SERVICES HEALTH CARE INSTITUTIONS: LICENSING

[R06-126]

- 1. Title and its heading:** 9, Health Services
Chapter and its heading: 10, Department of Health Services – Health Care Institutions: Licensing
Article and its heading: 7, Assisted Living Facilities
Section numbers: R9-10-701, R9-10-702, R9-10-703, R9-10-704, R9-10-705, R9-10-706, R9-10-707, R9-10-708, R9-10-709, R9-10-710, R9-10-711, R9-10-712, R9-10-713, R9-10-714, R9-10-715, R9-10-716, R9-10-717, R9-10-718, R9-10-719, R9-10-720, R9-10-721, R9-10-722, R9-10-723, and R9-10-724 (The Department may add, delete, or modify Sections as necessary.)
- 2. The subject matter of the proposed rule:**
This Notice of Rulemaking Docket Opening is being published to replace the notice published April 29, 2005. This rulemaking is to update the licensing requirements for assisted living facilities. A.R.S. §§ 36-405 and 36-406 require the Arizona Department of Health Services (Department) to adopt rules to establish minimum standards and requirements for the construction, modification, and licensure of health care institutions necessary to ensure public health, safety, and welfare. *Arizona Administrative Code* Title 9, Chapter 10, Article 7 implements these statutes for assisted living facilities by providing definitions and licensing requirements for assisted living facilities to follow. Changes will conform to rulemaking format and style requirements of the Governor's Regulatory Review Council and the Office of the Secretary of State. The Department may add, delete, or modify Sections as necessary.

The agency docket number, if applicable:
RE-012-06
- 3. A citation to all published notices relating to the proceeding:**
Notice of Rulemaking Docket Opening: 11 A.A.R. 1570, April 29, 2005
- 4. The name and address of agency personnel with whom persons may communicate regarding the rule:**

Name:	Alan Oppenheim Program Manager, Office of Assisted Living Licensing
Address:	Arizona Department of Health Services Division of Licensing Services Office of Assisted Living Licensing 150 N. 18th Ave., Suite 420 Phoenix, AZ 85007
Telephone:	(602) 364-2632
Fax:	(602) 364-4766
E-mail:	oppenha@azdhs.gov or
Name:	Kathleen Phillips, Rules Administrator
Address:	Arizona Department of Health Services Office of Administrative Rules 1740 W. Adams, Suite 202 Phoenix, AZ 85007
Telephone:	(602) 542-1264
Fax:	(602) 364-1150
E-mail:	phillik@azdhs.gov

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5. The time during which the agency will accept written comments and the time and place where oral comments may be made:

Written comments will be accepted at the addresses listed in item #4 until the close of record, which has not yet been determined. The Department has not scheduled any oral proceedings at this time.

6. A timetable for agency decisions or other action on the proceeding, if known:

To be announced in the Notice of Proposed Rulemaking

**NOTICE OF RULEMAKING DOCKET OPENING
ARIZONA HEALTH CARE COST CONTAINMENT SYSTEM
ADMINISTRATION**

[R06-129]

1. Title and its heading:

9, Health Services

Chapter and its heading:

22, Arizona Health Care Cost Containment System – Administration

Article and its heading:

1, Definitions

2, Scope of Services

Section numbers:

R9-22-101, R9-22-102, R9-22-201, R9-22-212, and R9-22-213

(As part of this rulemaking, AHCCCS may add, delete, or modify additional Sections as necessary.)

2. The subject matter of the proposed rule:

The Administration will revise the scope of service rules to comply with the United States District Court for the State of Arizona decision on March 3, 2006, mandating the provision of incontinence briefs as a preventive measure to EPSDT AHCCCS members who are incontinent as a result of their disabilities.

3. A citation to all published notices relating to the proceeding:

None

4. The name and address of agency personnel with whom persons may communicate regarding the rule:

Name: Linda Barry

Address: AHCCCS
Office of Legal Assistance
701 E. Jefferson, Mail Drop 6200
Phoenix, AZ 85034

Telephone: (602) 417-4484

Fax: (602) 253-9115

E-mail: AHCCCSRules@azahcccs.gov

5. The time during which the agency will accept written comments and the time and place where oral comments may be made:

The Administration will accept written comments Monday through Friday, 8 a.m. to 5 p.m., at the address indicated in item #4. Public hearings will be scheduled later to provide a forum for interactive discussion with interested parties. E-mail comments will be accepted.

6. A timetable for agency decisions or other action on the proceeding, if known:

Not known at this time.

**NOTICE OF RULEMAKING DOCKET OPENING
ARIZONA HEALTH CARE COST CONTAINMENT SYSTEM
ARIZONA LONG-TERM CARE SYSTEM**

[R06-130]

1. Title and its heading:

9, Health Services

Chapter and its heading:

28, Arizona Health Care Cost Containment System – Arizona
Long-term Care System

Article and its heading:

1, Definitions

2, Scope of Services

Section numbers:

R9-28-101, R9-28-102, R9-28-201, R9-28-202, and R9-28-204 to
R9-28-206

(As part of this rulemaking, AHCCCS may add, delete, or modify additional Sections as necessary.)

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2. The subject matter of the proposed rule:

The Administration will revise the scope of service rules to comply with the United States District Court for the State of Arizona decision on March 3, 2006, mandating the provision of incontinence briefs as a preventive measure to EPSDT AHCCCS members who are incontinent as a result of their disabilities.

3. A citation to all published notices relating to the proceeding:

None

4. The name and address of agency personnel with whom persons may communicate regarding the rule:

Name: Linda Barry
Address: AHCCCS
Office of Legal Assistance
701 E. Jefferson, Mail Drop 6200
Phoenix, AZ 85034
Telephone: (602) 417-4484
Fax: (602) 253-9115
E-mail: AHCCCSRules@azahcccs.gov

5. The time during which the agency will accept written comments and the time and place where oral comments may be made:

The Administration will accept written comments Monday through Friday, 8 a.m. to 5 p.m., at the address indicated in item #4. Public hearings will be scheduled later to provide a forum for interactive discussion with interested parties. E-mail comments will be accepted.

6. A timetable for agency decisions or other action on the proceeding, if known:

Not known at this time

**NOTICE OF RULEMAKING DOCKET OPENING
ARIZONA HEALTH CARE COST CONTAINMENT SYSTEM
ARIZONA LONG-TERM CARE SYSTEM**

[R06-128]

1. Title and its heading:

Chapter and its heading:

Article and its heading:

Section numbers:

9, Health Services
28, Arizona Health Care Cost Containment System – Arizona
Long-term Care System
1, Definitions
3, Preadmission Screening (PAS)
R9-28-101, R9-28-103, R9-28-301 to R9-28-307
(As part of this rulemaking, AHCCCS may add, delete, or modify
additional Sections as necessary.)

2. The subject matter of the proposed rule:

The Administration will be amending the Preadmission Screening (PAS) rules. The rules will be reviewed to ensure that the language is clear, concise, and understandable.

3. A citation to all published notices relating to the proceeding:

None

4. The name and address of agency personnel with whom persons may communicate regarding the rule:

Name: Linda Barry
Address: AHCCCS
Office of Legal Assistance
701 E. Jefferson, Mail Drop 6200
Phoenix, AZ 85034
Telephone: (602) 417-4484
Fax: (602) 253-9115
E-mail: AHCCCSRules@azahcccs.gov

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5. The time during which the agency will accept written comments and the time and place where oral comments may be made:

The Administration will accept written comments Monday through Friday, 8 a.m. to 5 p.m., at the address indicated in item #4. Public hearings will be scheduled later to provide a forum for interactive discussion with interested parties. E-mail comments will be accepted.

6. A timetable for agency decisions or other action on the proceeding, if known:

Not known at this time

**NOTICE OF RULEMAKING DOCKET OPENING
ARIZONA HEALTH CARE COST CONTAINMENT SYSTEM
CHILDREN'S HEALTH INSURANCE PROGRAM**

[R06-131]

1. Title and its heading:

9, Health Services

Chapter and its heading:

31, Arizona Health Care Cost Containment System – Children's Health Insurance Program

Article and its heading:

1, Definitions

2, Scope of Services

16, Services for Native Americans

Section numbers:

R9-31-101, R9-31-102, R9-31-201, R9-31-204, R9-31-205, R9-31-209, R9-31-210, R9-31-212, R9-31-213, R9-31-215, R9-31-216, R9-31-1602, R9-31-1611, R9-31-1612, R9-31-1613, and R9-31-1614
(As part of this rulemaking, AHCCCS may add, delete, or modify additional Sections as necessary.)

2. The subject matter of the proposed rule:

The Administration will revise the scope of service rules to comply with the United States District Court for the State of Arizona decision on March 3, 2006, mandating the provision of incontinence briefs as a preventive measure to EPSDT AHCCCS members who are incontinent as a result of their disabilities.

3. A citation to all published notices relating to the proceeding:

None

4. The name and address of agency personnel with whom persons may communicate regarding the rule:

Name: Linda Barry

Address: AHCCCS
Office of Legal Assistance
701 E. Jefferson, Mail Drop 6200
Phoenix, AZ 85034

Telephone: (602) 417-4484

Fax: (602) 253-9115

E-mail: AHCCCSRules@azahcccs.gov

5. The time during which the agency will accept written comments and the time and place where oral comments may be made:

The Administration will accept written comments Monday through Friday, 8 a.m. to 5 p.m., at the address indicated in item #4. Public hearings will be scheduled later to provide a forum for interactive discussion with interested parties. E-mail comments will be accepted.

6. A timetable for agency decisions or other action on the proceeding, if known:

Not known at this time

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NOTICE OF RULEMAKING DOCKET OPENING

**CORPORATION COMMISSION
SECURITIES**

[R06-127]

- 1. Title and its heading:** 14, Public Service Corporations; Corporations and Associations;
Securities Regulation
Chapter and its heading: 4, Corporation Commission – Securities
Article and its heading: 1, In General Relating to the Arizona Securities Act
Section numbers: R14-4-135 (Other Sections may be added, deleted, or modified as
necessary.)
- 2. The subject matter of the proposed rule:**
Section R14-4-135 provides an exemption from registration for offers declared effective with the Securities and
Exchange Commission pursuant to its multi-jurisdictional disclosure rule.
- The agency docket number, if applicable:** Docket Number RS-00000A-06-0210.
- 3. A citation to all published notices relating to the proceeding:**
None
- 4. The name and address of agency personnel with whom persons may communicate regarding the rule:**
Name: Abby Henig
Address: Arizona Corporation Commission, Securities Division
1300 W. Washington, Third Floor
Phoenix, AZ 85007
Telephone: (602) 542-0187
Fax: (602) 594-7402
E-mail: ahenig@azcc.gov
- 5. The time during which agency will accept written comments and the time and place where oral comments may be made:**
Monday through Friday, 8:00 a.m. to 5:00 p.m. at the Securities Division as noted in item #4. No hearing date has
been set.
- 6. A timetable for agency decisions or other action on the proceeding, if known:**
Not known